

PAUL HASTINGS

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May 17, 2019

VIA ELECTRONIC FILING

Honorable Freda L. Wolfson
Honorable Tonianne J. Bongiovanni
U.S. District Court, District of New Jersey
Clarkson S. Fisher Federal Building & U.S. Courthouse
402 East State Street
Trenton, NJ 08608

Re: *Takata v. Riot Blockchain, Inc., et al.*, No.: 18-2293 (FLW)(TJB)

Dear Judges Wolfson and Bongiovanni:

We represent defendants Riot Blockchain, Inc. (“Riot”), Michael Beeghley (“Beeghley”), John O’ Rourke (“O’Rourke”), Jason Les (“Les”), Andrew Kaplan (“Kaplan”) and Jeffery G. McGonegal (“McGonegal”) (collectively, the “Riot Blockchain Defendants”) in the above-referenced matter. We write on behalf of all Parties¹ regarding the Corrected Consolidated Amended Class Action Complaint for Violation of the Federal Securities Law, filed with the Court by Lead Plaintiff Dr. Stanley Golovac (“Lead Plaintiff”) on May 9, 2019 (the “CCAC”) and the Court’s order on April 24, 2019 (the “April Order”). (Dkt. No. 67.)

The April Order granted Lead Plaintiff leave to file an amended complaint and set a briefing scheduled for the Original Defendants’ motion(s) to dismiss, requiring the Original Defendants to file their motions to dismiss the CCAC by May 29, 2019.² The CCAC filed by Lead Plaintiff names seven (7) additional defendants (*i.e.*, the “New Defendants”). While counsel for the Riot Blockchain Defendants has accepted service for Kaplan and Les, Lead Plaintiff is still in the process of serving the other five newly named defendants.

In order to coordinate a uniform briefing schedule, the Parties request that the Court take the current May 29th deadline for the Original Defendants’ motion(s) to dismiss off

¹ “Parties,” here, means the Riot Blockchain Defendants, defendant Barry Honig, and Lead Plaintiff. Counsel for Mr. Honig and Lead Plaintiff have approved the submission of this letter to the Court.


² The “Original Defendants” include Riot, Beeghley, O’Rourke, McGonegal and Barry Honig. The “New Defendants” include Catherine DeFrancesco, John Stetson, Mark Groussman, Kaplan, Mike Dai, Les, and Eric So. Defendants” include the Original Defendants and the New Defendants

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calendar while Lead Plaintiff pursues service of the other five newly named defendants. Once served, the Parties intend to coordinate with the newly named defendants and file a stipulation with the Court to set a uniform briefing schedule for all Defendants.

Sincerely,



D. Scott Carlton
for PAUL HASTINGS LLP

DSC